Attorney or Party witho 'Attorney:				For Court Use Only		
:						
1:						
1:						
Telephone No:	Г	Ref. No. or File No.:				
Attorney for: Plaintiff	ľ	tej. No. or Phe No				
Insert name of Court, and Judicial District and Branch Court:						
United States District Court, Southern District Of New York						
Plaintiff: MIDDLESEX COUNTY RETIREMENT SYSTEM, ETC.						
Defendant: SEMTECH CORP., ET AL.						
PROOF OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number:		
SUMMONS & COMPLAINT				07 CIV 7183		

- 1. At the time of service I was at least 18 years of age and not a party to this action.
- 2. I served copies of the Summons And Complaint; Civil Cover Sheet, Rule 7.1 Statement Judges Rules, Instructions And Procedures For Electronic Case Filing

3. a. Party served:

JOHN M. BAUMANN

b. Person served:

STEPHANIE BAUMANN, WIFE, White, Female, 30 Years Old, Blond Hair,

Green Eyes, 5 Feet 2 Inches, 120 Pounds

4. Address where the party was served:

1180 N. NAPOLEAN COURT OAK PARK, CA 91377

5. I served the party:

- b. by substituted service. On: Wed., Aug. 22, 2007 at: 12:10PM by leaving the copies with or in the presence of: STEPHANIE BAUMANN, WIFE
- (2) (Home) Member Household over 18. I informed him or her of the general nature of the papers.
- (4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., 415.20). I mailed the document on: Wed., Aug. 22, 2007 from: Santa Ana, CA
- 7. Person Who Served Papers:
  - a. NANCY J BANFIELD
  - b. LEGALEASE, INC. 139 FULTON STREET NEW YORK, NY 10038
  - c. 212.393.9070

Recoverable Cost Per CCP 1033.5(a)(4)(B)

- d. The Fee for Service was:
- e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.:

LA 5054

(iii) County:

Los Angeles

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Thu, Aug. 23, 2007

PROOF OF SERVICE SUMMONS & COMPLAINT

3939070.8042

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MIDDLESEX COUNTY RETIREMENT SYSTEM, Individually And on behalf of all Others

Case No. 07 cv 7183

Similarly Situated,

Plaintiffs,

-V-

SEMTECH CORP., et al,

AFFIDAVIT OF **MAILING** 

Defendants.

STATE OF NEW YORK) COUNTY OF NEW YORK } ss.:

Ian Thomson, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at New York, NY:

On August 27, 2007 I mailed a true copy of the within Summons & complaint, Civil Cover Sheet, Rule 7.1 Statement, Judges Rules, Instructions and Procedures for Electronic Case Filing to John M. Baumann at 1180 N. Napoleon Ct., Oak Park, CA 91377, his actual place of residence by enclosing it in an envelope, postage prepaid, and depositing it in an official depository under the exclusive care and custody of the United States Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

> Ian Thomson Lic. 1150441

Sworn to before me this 27th day of August 2007.

**BRUCE LAZARUS** NOTARY PUBLIC-STATE OF NEW YORK

No. 4990593

Qualified in Westchester County

My Commission Expires January 13, 20 10

139 Fulton Street, New York, NY 10038

Tel: 212-393-9070 800-393-1277 Fax: 212-393-9796

Attorney or Party without Attorney:	For Court Use Only			
:				
[ <del>:</del>				
[ :				
l :		Ref. No or File No.:		
Telephone No:				
Insert name of Court, and Judicial District and Bra				
United States District Court, Southern Di				
Plaintiff: MIDDLESEX COUNTY RETIRE				
Defendant: SEMTECH CORP., ET AL.				
AFFIDAVIT OF	Hearing Date:	Time:	Dept/Div;	Case Number:
REASONABLE DILIGENCE				07 CIV 7183

- 1. I, NANCY J BANFIELD, and any employee or independent contractors retained by LEGALEASE, INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant JOHN M. BAUMANN as follows:
- SUMMONS AND COMPLAINT; CIVIL COVER SHEET, RULE 7.1 STATEMENT JUDGES RULES, 2. Documents: INSTRUCTIONS AND PROCEDURES FOR ELECTRONIC CASE FILING.

Day Mon	<b>Date</b> 08/20/07	Time 8:10am	Location Home	Results TRIED GIVEN RESIDENCE ADDRESS, NO ANSWER AT THE DOOR. LOCATION IS A TWO STORY HOUSE, 3 GAR GARAGE Attempt made by: NANCY J BANFIELD. Attempt at: 1180 N. NAPOLEAN COURT OAK PARK CA 91377.
Tue	08/21/07	3:00pm	Home	TRIED RESIDENCE, NO ANSWER. HOUSE QUIET; Attempt made by: NANCY J BANFIELD. Attempt at: 1180 N. NAPOLEAN COURT OAK PARK CA 91377.
Tue	08/21/07	7:10pm	Home	TRIED GIVEN RESIDENCE ADDRESS, NO ANSWER AT THE DOOR. NO ACCESS TO METERS. NO CARS VISIBLE Attempt made by: NANCY J BANFIELD. Attempt at: 1180 N. NAPOLEAN COURT OAK PARK CA 91377.
Wed	08/22/07	12:09pm	Home	TRIED GIVEN RESIDENCE ADDRESS, PER SUBJECT'S SPOUSE, SUBJECT IS NOT HOME. Attempt made by: NANCY J BANFIELD. Attempt at: 1180 N. NAPOLEAN COURT OAK PARK CA 91377.
Wed	08/22/07	12:10pm	Home	Substituted Service on: JOHN M. BAUMANN Home - 1180 N. NAPOLEAN COURT OAK PARK, CA. 91377 by Serving: STEPHANIE BAUMANN, WIFE, White, Female, 30 Years Old, Blond Hair, Green Eyes, 5 Feet 2 Inches, 120 Pounds Member Household over 18 by leaving a copy of the document(s) with: STEPHANIE BAUMANN, WIFE. Served by: NANCY J BANFIELD

3. Person Executing

a. NANCY J BANFIELD

b. LEGALEASE, INC. 139 FULTON STREET NEW YORK, NY 10038

c. 212.393.9070

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d.. The Fee for service was:

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.:

LA 5054

(iii) County:

Los Angeles

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

Date: Thu, Aug. 23, 2007

AFFIDAVIT OF REASONABLE DILIGEN

Page: 1